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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,006	05/23/2006	Jennifer Anne Davidson	084341-000000US.	4054
20350 7590 07/13/2007 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER WHITE, RODNEY BARNETT	
			ART UNIT 3636	PAPER NUMBER
			MAIL DATE 07/13/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/563,006	<b>Applicant(s)</b> DAVIDSON, JENNIFER ANNE	
	<b>Examiner</b> Rodney B. White	<b>Art Unit</b> 3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Dixon (WO 96/12425 A1).

Dixon teaches a chair, including a seat, wherein the seat includes a barrier zone dividing said seat into a front seat portion and a rear seat portion, said rear seat portion being of a material more easily deformed than said barrier zone, such that in use, movement of a user's buttocks from said rear seat portion towards said front seat portion urges the rear seat portion towards said barrier zone, deforming said rear seat portion and inhibiting said buttocks from moving towards said front seat portion, wherein

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said barrier zone is of a material having a higher density than said rear seat portion material, wherein said front and rear seat portions are of the same density, wherein said barrier zone is located between 25% to 60% along a length of said seat when measured from a back edge of said seat to a front edge of said seat, wherein said barrier zone is a ridge extending at least partially longitudinally across a width of said seat, wherein said barrier zone is a moulded part of said seat, wherein said barrier zone is 40 to 100 mm wide, wherein said barrier zone is located below a top surface of said seat (See specification and Figures 1-7).

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Owen (WO 9300029 A1).

Owen teaches a chair, including a seat, wherein the seat includes a barrier zone dividing said seat into a front seat portion and a rear seat portion, said rear seat portion being of a material more easily deformed than said barrier zone, such that in use, movement of a user's buttocks from said rear seat portion towards said front seat portion urges the rear seat portion towards said barrier zone, deforming said rear seat portion and inhibiting said buttocks from moving towards said front seat portion, wherein said barrier zone is of a material having a higher density than said rear seat portion material, wherein said front and rear seat portions are of the same density, wherein said barrier zone is located between 25% to 60% along a length of said seat when measured from a back edge of said seat to a front edge of said seat, wherein said barrier zone is

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a ridge extending at least partially longitudinally across a width of said seat, wherein said barrier zone is a moulded part of said seat, wherein said barrier zone is 40 to 100 mm wide, wherein said barrier zone is located below a top surface of said seat (See specification and Figures 1-4 and 6).

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Dinsmoor, III et al (U.S. Patent No. 5,390,384)).

Dinsmoor, III et al teach a chair, including a seat, wherein the seat includes a barrier zone dividing said seat into a front seat portion and a rear seat portion, said rear seat portion being of a material more easily deformed than said barrier zone, such that in use, movement of a user's buttocks from said rear seat portion towards said front seat portion urges the rear seat portion towards said barrier zone, deforming said rear seat portion and inhibiting said buttocks from moving towards said front seat portion, wherein said barrier zone is of a material having a higher density than said rear seat portion material, wherein said front and rear seat portions are of the same density, wherein said barrier zone is located between 25% to 60% along a length of said seat when measured from a back edge of said seat to a front edge of said seat, wherein said barrier zone is a ridge extending at least partially longitudinally across a width of said seat, wherein said barrier zone is a moulded part of said seat, wherein said barrier zone is 40 to 100 mm wide, wherein said barrier zone is located below a top surface of said seat (See specification and Figures 1-3,10-14, and 21-23).

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gerbelot, Kondo et al, Jay et al, Mackenzie, Coyne et al, Hanson et al, Rinne et al, Vanharanta, Berg et al, Watkins, Coronado, Crosbie, Lampel, and Kang et al, teach structures similar to the present invention

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (571) 272-6863. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on (571) 272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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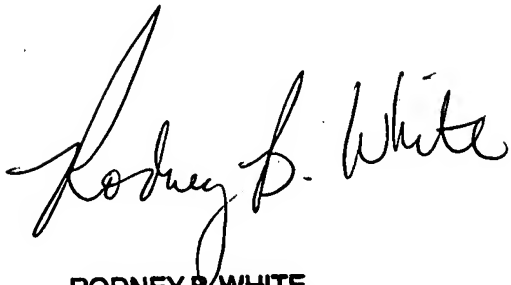
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Rodney B. White,

Patent Examiner

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July 11, 2007

A handwritten signature in cursive script that reads "Rodney B. White". The signature is written in black ink and is positioned above the printed name and title.

**RODNEY B. WHITE**  
**PRIMARY EXAMINER**